

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

U.S. UNDERWRITERS INSURANCE  
COMPANY,

Plaintiff,

- against -

MALDONADO CONSTRUCTION CORP.,  
PERSPECTIVE CONSTRUCTION CORP.,  
MATTHEW BAIRD, ELIZABETH BAIRD,  
CHUBB INSURANCE COMPANY,  
MERRIMACK MUTUAL FIRE INSURANCE  
COMPANY a/s/o READE STREET TENANTS  
CORP., READE STREET TENANTS CORP.,  
STATE FARM FIRE AND CASUALTY  
COMPANY a/s/o JAMES FORMAN and  
CORBY BAUMAN, JAMES FORMAN,  
CORBY BAUMAN, USAA CASUALTY  
INSURANCE COMPANY a/s/o CHRISTINA  
ALLEN, CHRISTINA ALLEN, LIBERTY  
MUTUAL FIRE INSURANCE COMPANY a/s/o  
R.C. UNGER, R.C. UNGER, MATTHEW  
BAIRD ARCHITECTS, P.L.L.C. and SEVERUD  
ASSOCIATES CONSULTING ENGINEERS,  
P.C.

Defendants.

CHUBB INSURANCE COMPANY,

Third-Party Plaintiff,

- against -

ARCH SPECIALTY INSURANCE COMPANY,

Third-Party Defendant.

Case No.: 16-cv-9098-VM

CIVIL ACTION

**ANSWER TO ALL CROSS-  
CLAIMS AND AFFIRMATIVE  
DEFENSES**

*Filed Electronically*

The Defendants, Matthew Baird and Elizabeth Baird (“the “Bairds”), by and through its attorneys, Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, by way of answer to any and all Cross-Claims, say as follows:

**ANSWER TO ALL CROSS CLAIMS**

1. The Bairds deny each and every allegation of each and every Cross-Claim and further denies liability in any way to any Co-Defendant named herein.

**AFFIRMATIVE DEFENSES**

1. The Bairds hereby incorporate by way of reference and assert each and every separate affirmative defense which appears in the Bairds' Answer to the Plaintiff's Amended Complaint, as a separate defense to each and every Cross-Claim denied herein.

**WHEREFORE**, the Bairds respectfully request that judgment be entered in this action as follows:

- a. Dismissing the Amended Complaint against the Bairds with prejudice in its entirety;
- b. Dismissing each and every Cross-Claim against the Bairds with prejudice in their entirety;
- c. Awarding costs of suit incurred herein, including such reasonable attorneys' fees as may be allowed by law; and
- d. Granting such other and further relief as this court deems just and proper.

Dated: March 8, 2018  
Florham Park, New Jersey

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER, LLP

By: s/Mark R. Vespole  
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